

REMARKS

This Amendment is being filed in response to the Office Action mailed November 26, 2007, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

By means of the present amendment, claims 1-14 have been amended for non-statutory reasons, such as for better form including beginning the dependent claims with 'The' instead of 'A', and deleting reference numerals typically used in European practice that are known to not limit the scope of the claims. Claims 1-14 were not amended in order to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents.

The Office Action indicates that the oath or declaration is defective requiring a new oath or declaration since 37 CFR 1.56(a) is referred to instead of 37 CFR 1.56. In response, a new declaration is being concurrently filed herewith.

In the Office Action, the Examiner objected to claims 13 and

14 for certain informalities. In response, claims 13 and 14 have been amended to remove the informalities noted by the Examiner. Accordingly, withdrawal of the objection to claims 13 and 14 is respectfully requested.

In the Office Action, claims 1-8 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,757,345 (Sheridon) in view of U.S. Patent No. 6,911,132 (Pamula). Claims 9-11 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Sheridan and Pamula in view of U.S. Patent No. 6,603,344 (Kawanami). Further, claims 12-14 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Kawanami in view of Pamula. It is respectfully submitted that claims 1-30 and 32-41 are patentable over Sheridan, Pamula and Kawanami for at least the following reasons.

As correctly noted on page 10 of the Office Action, Kawanami does not teach or suggest "retaining a current state by applying a potential to the retain electrode in relation to the counter electrode and removing any potential from the address electrode in relation to the counter electrode," as recited in independent claim 12. Pamula is cited in an attempt to remedy the deficiencies in

Kawanami.

Pamula is directed to an apparatus for manipulating droplets by electrowetting. The Pamula apparatus includes several electrodes, such as three or four electrodes, as recited on column 7, line 53 and column 8, line 28. The electrodes are sequentially activated and de-activated to move droplets, e.g., to separate or split a droplet into two droplets, merge two droplets into one, mix droplets, spread droplets, rotate them and so on.

It is respectfully submitted that Kawanami, Pamula, and combination thereof, do not teach or suggest the present invention as recited in independent claim 1, and similarly recited in independent claim 12 which, amongst other patentable features, requires (illustrative emphasis provided):

wherein a current state is retained by applying a potential to the retain electrode in relation to the counter electrode and removing any potential from the address electrode in relation to the counter electrode.

Retaining a current state by applying a potential to the retain electrode and removing any potential from the address electrode is nowhere taught or suggested in Kawanami and Pamula, alone or in combination. Instead of retaining a current state,


Pamula discloses moving a droplet by sequentially activating and de-activating electrodes. Sheridon does not remedy the deficiencies in Kawanami and Pamula, as Sheridon also does not teach or suggest a retain electrode, similar to Kawanami, as correctly noted by the Examiner on page 4, of the Office Action.

Accordingly, it is respectfully submitted that independent claims 1 and 12 are allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-11 and 13-14 should also be allowed at least based on their dependence from independent claims 1 and 12.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By   
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Enclosure: New Declaration

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